

APR 25 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

PAUL D.S. EDWARDS,

Plaintiff - Appellant,

v.

JOHN BLAKELY; et al.,

Defendants - Appellees.

No. 05-15225

D.C. No. CV-04-01160-JCM

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
James C. Mahan, District Judge, Presiding

Submitted April 5, 2006**

Before: HAWKINS, McKEOWN, and SILVERMAN, Circuit Judges.

Paul D.S. Edwards appeals pro se from the district court's order dismissing Edwards' complaint alleging that OSI Collection Services, Inc. ("OSI") engaged in debt collection tactics in violation of the Fair Debt Collections Practices Act ("FDCPA"), 15 U.S.C. §§ 1692-1692o. We have jurisdiction pursuant to 28

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

U.S.C. § 1291. We review de novo, *SmileCare Dental Group v. Delta Dental Plan of Cal., Inc.*, 88 F.3d 780, 783 (9th Cir. 1996), and we affirm.

Edwards' complaint alleged that OSI violated the FDCPA in August, 2003. On May 12, 2003, OSI filed for Chapter 11 bankruptcy protection, and an order was entered on October 15, 2003 confirming OSI's plan of reorganization and providing that any claims arising after the May 12, 2003 petition date could only be made by filing an application for allowance of claim. Edwards never filed such a claim with the bankruptcy court. The district court therefore did not err by dismissing Edwards' action because it was barred by 11 U.S.C. § 524.

Edwards' remaining contentions lack merit.

AFFIRMED.